

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**October 15, 2015**



**Rezoning case no. RZ15-19 Felix Torres**

**CASE DESCRIPTION:** a request to change the zoning classification from Agricultural - Open District (A-O) to Residential District – 5000 (RD-5)

**LOCATION:** 7.75 acres of land adjoining the north side of the 2500 block of Beck Street, approximately 1,000 feet east of its intersection with Suncrest Street and currently addressed as 2502 Beck Street

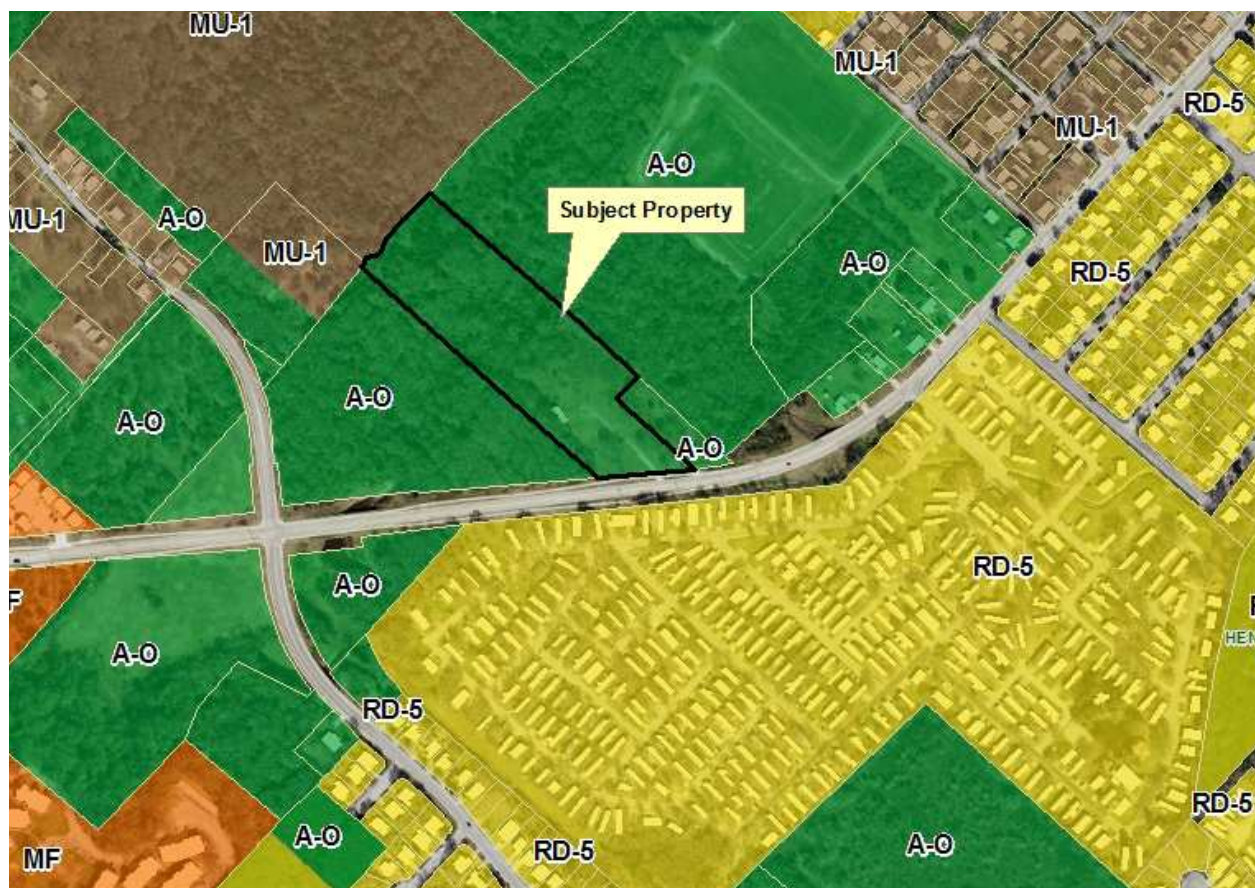
**LEGAL DESCRIPTION:** 7.75 acres of land out of Stephen F. Austin League #9

**EXISTING LAND USE:** abandoned single-family structure, vacant land

**APPLICANT(S):** Felix Torres

**STAFF CONTACT:** Matthew Hilgemeier, AICP, Staff Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this rezoning request.





## **AERIAL PHOTOGRAPH (2015):**



## **BACKGROUND:**

The applicant/property owner, Mr. Felix Torres, is requesting to change the zoning classification from Agricultural – Open District (A-O) to Residential District – 5000 (RD-5) on 7.75 acres of mostly vacant land located east of the intersection of Suncrest Drive and Beck Street. The subject property is located north from a large RD-5 zoning district (Oakwood Manufactured Home Park). To the east of the subject property is land owned by the City of Bryan and zoned A-O District that is almost completely encumbered by FEMA recognized floodplain. Property located to the northwest is zoned Mixed Use – Residential District (MU-1), but is undeveloped at this time. Property located west of the subject property is also zoned A-O District is undeveloped and also almost completely encumbered by FEMA recognized floodplain.

The applicant wishes to develop this land with a single-family residential subdivision. If the requested rezoning classification were approved, approval of a preliminary plan and final plat meeting all standards of the City of Bryan’s Subdivision Ordinance will be required before any building permits for a new subdivision may be issued.

The A-O zoning classification is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one acre in a suburban or rural setting. This zoning

classification is also intended to serve as a holding zone for vacant land areas annexed to the City as well as to protect areas that may be unsuitable for development and to preserve natural open space. The RD-5 zoning classification is intended to provide opportunities for development of detached dwellings on lots of at least 5,000 square feet in size.

## **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

The City of Bryan's Comprehensive Plan Update is the framework for the establishment of zoning and other regulatory tools. The Plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Comprehensive Plan suggests that low-density residential uses should be located in areas that are protected from (but accessible to) the major roadway network in close proximity to schools. The Planning and Zoning Commission should also consider the following when making its recommendation regarding this proposed zoning change:

### Chapter 5: Land Use

#### 5.5 Use-Specific Land Use Policies

Low Density Residential land serves to provide housing and living units for a variety of people with a range of incomes and needs. It predominantly consists of detached single family dwellings but may consist of other housing types as long as densities remain low; up to 8 dwelling units per acre. These uses should be located in areas that are:

- Protected from but accessible to the major roadway network, commercial establishments, work places and entertainment areas;
- Accessible to collector and arterial streets, but directly access only local streets; and,
- Not adjacent to major arterials and freeways without adequate buffering and access management.

#### 5.6 Goals, Objectives and Action Statements

Goals, objectives and action statements were developed to address land use concerns facing Bryan in the next twenty years.

**GOAL #4: PROMOTE QUALITY AFFORDABLE HOUSING DEVELOPMENT.**

Objective: Encourage the development of affordable housing tailored to the particular needs of the community.

*Action Statement 2: Seek the dispersal and integration of low-income housing through infill and small subdivision development.*

## ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

**Staff believes that RD-5 zoning on these 7.75 acres is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. Staff believes that single-family residences at this location will promote orderly urban growth in close proximity to Milam and Anson Jones Elementary Schools, which are located approximately 1,500 northeast from the subject property.**

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

**Residential neighborhoods should be planned such that they form cohesive environments oriented toward elementary schools at their core. In this particular case, this proposed residential subdivision is located near Milam and Anson Jones Elementary Schools and will have access to Beck Street, which is classified as minor arterial street on Bryan's Thoroughfare Plan. Existing City of Bryan water and wastewater mains will be available for point-of-use extension upon development, based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.**

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

**There currently exists no vacant land classified for similar development in the vicinity of the subject property. While there is other property located in the City of Bryan that is vacant and zoned for single-family residential use, there has been very little interest in developing new single-family residential property in this area of the City for some time. Staff contends that if the requested change in zoning classification were approved, it will not make similarly zoned properties in the City unavailable for development.**

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

**Staff contends that residential developments are developing at a moderate pace in other part of the City, but there has not been any recent proposals for single-family residential developments in this general vicinity for some time.**

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

**If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments.**

6. Any other factors affecting health, safety, morals, or general welfare.

**Staff is unable to identify additional factors other than those mentioned above that might affect health, safety, morals, or general welfare if this rezoning were approved.**

**RECOMMENDATION:**

Based on all these considerations, staff recommends **approving** the requested zone change to Residential District – 5000 on the subject property. RD-5 zoning on this property appears to be consistent with the land use recommendations of the Bryan Comprehensive Plan and will promote orderly urban growth in close proximity to existing elementary schools.